



COMMITTEE REPORT

MADAM PRESIDENT:

The Senate Committee on Agriculture, to which was referred House Bill No. 1483, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

- 1 Page 2, between lines 3 and 4, begin a new line block indented and
2 insert:
3 **"(7) "Crop year" means the period from one (1) year's**
4 **harvest to the next year for a specified field crop as follows:**
5 **(A) Barley and barley seed from June 1 to May 31.**
6 **(B) Canola and canola seed from July 1 to June 30.**
7 **(C) Corn and corn seed from September 1 to August 31.**
8 **(D) Lentils and lentil seed from July 1 to June 30.**
9 **(E) Oats and oat seed from June 1 to May 31.**
10 **(F) Popcorn and popcorn seed from September 1 to August**
11 **31.**
12 **(G) Rye and rye seed from June 1 to May 31.**
13 **(H) Sorghum and sorghum seed from September 1 to**
14 **August 31.**
15 **(I) Soybeans and soybean seed from September 1 to August**
16 **31.**
17 **(J) Sunflower and sunflower seed from September 1 to**
18 **August 31.**
19 **(K) Wheat and wheat seed from June 1 to May 31.**

- 1 **(L) All other field crops and other field crop seed from**
- 2 **September 1 to August 31."**
- 3 Page 2, line 4, strike "(7)" and insert "**(8)**".
- 4 Page 2, line 9, strike "(8)" and insert "**(9)**".
- 5 Page 2, line 14, strike "(9)" and insert "**(10)**".
- 6 Page 2, line 18, strike "(10)" and insert "**(11)**".
- 7 Page 2, line 29, strike "(11)" and insert "**(12)**".
- 8 Page 2, line 32, strike "(12)" and insert "**(13)**".
- 9 Page 2, line 35, strike "(13)" and insert "**(14)**".
- 10 Page 2, line 38, strike "(14)" and insert "**(15)**".
- 11 Page 3, line 7, strike "(15)" and insert "**(16)**".
- 12 Page 3, line 9, strike "(16)" and insert "**(17)**".
- 13 Page 3, line 14, strike "(17)" and insert "**(18)**".
- 14 Page 3, line 42, strike "(18)" and insert "**(19)**".
- 15 Page 4, line 3, strike "(19)" and insert "**(20)**".
- 16 Page 4, line 5, strike "(20)" and insert "**(21)**".
- 17 Page 4, line 7, strike "(21)" and insert "**(22)**".
- 18 Page 4, line 10, strike "(22)" and insert "**(23)**".
- 19 Page 4, line 11, strike "(23)" and insert "**(24)**".
- 20 Page 4, line 13, strike "(24)" and insert "**(25)**".
- 21 Page 4, line 16, strike "(25)" and insert "**(26)**".
- 22 Page 4, line 18, strike "(26)" and insert "**(27)**".
- 23 Page 4, line 20, strike "(27)" and insert "**(28)**".
- 24 Page 4, line 22, strike "(28)" and insert "**(29)**".
- 25 Page 4, line 23, delete "(29)" and insert "**(30)**".
- 26 Page 4, line 24, delete "from a claimant." and insert "**under section**
- 27 **18(b) of this chapter."**
- 28 Page 4, line 25, delete "(30)" and insert "**(31)**".
- 29 Page 4, line 28, delete "(31)" and insert "**(32)**".
- 30 Page 4, line 31, delete "(32)" and insert "**(33)**".
- 31 Page 4, line 39, delete "(33)" and insert "**(34)**".
- 32 Page 6, between lines 26 and 27, begin a new line double block
- 33 indented and insert:
- 34 **"INDIANA STATE LAW REQUIRES THAT AFTER**
- 35 **JULY 1, 2022, ALL DEFERRED PRICED GRAIN MUST**
- 36 **BE PRICED WITHIN THE CROP YEAR AS DEFINED**
- 37 **BY IC 26-3-7-2(7). THIS CONTRACT MUST BE PRICED**
- 38 **BY _(Insert Date)_"**.
- 39 Page 7, between lines 15 and 16, begin a new line block indented
- 40 and insert:
- 41 **"(17) Receive and consider financial audits of a licensee**

1 **conducted by an independent audit or accounting firm."**

2 Page 7, line 16, delete "(17)" and insert **"(18)"**.

3 Page 7, line 17, after "licensee," insert **"while the board is in**
4 **executive session and without disclosing the name or any other**
5 **identifying information of the licensee,"**.

6 Page 7, between lines 29 and 30, begin a new line block indented
7 and insert:

8 **"(19) Adopt rules under IC 4-22-2 regarding fines for**
9 **violations of this chapter."**

10 Page 10, line 31, strike "two hundred fifty thousand dollars
11 (\$250,000)" and insert **"three hundred twenty-five thousand dollars**
12 **(\$325,000)"**.

13 Page 10, line 32, strike "dollars (\$1,000,000)" and insert **"two**
14 **hundred fifty thousand dollars (\$1,250,000)"**.

15 Page 12, line 27, delete "June 30, 2021" and insert **"July 1, 2022"**.

16 Page 12, line 29, delete "or a delayed".

17 Page 12, line 30, delete "payment agreement".

18 Page 12, line 31, delete "one (1) year from the date of delivery of
19 the" and insert **"the crop year for the delivered grain; or"**.

20 Page 12, delete line 32.

21 Page 12, line 33, delete "or delayed".

22 Page 12, line 34, delete "payment agreement".

23 Page 12, line 34, delete "one (1) year" and insert **"the crop year for**
24 **the delivered grain."**

25 Page 12, delete lines 35 through 42, begin a new paragraph and
26 insert:

27 **"(b) If the deferred pricing agreement in connection with a grain**
28 **purchase was entered into before July 1, 2021, the licensee shall**
29 **complete the licensee's payment obligations to the seller under the**
30 **agreement before January 1, 2024. The determined price date of a**
31 **deferred pricing agreement shall be:**

32 **(1) the determined price date set forth in the deferred pricing**
33 **agreement, if that date occurs before January 1, 2024;**

34 **(2) if subdivision (1) does not apply, a determined price date**
35 **that is mutually agreed to by the licensee and the seller; or**

36 **(3) if subdivisions (1) and (2) do not apply, the date on which**
37 **the licensee completes the licensee's payment obligations to**
38 **the seller."**

39 Delete page 13.

40 Page 14, delete lines 1 through 14.

41 Page 14, line 18, delete "issue payment" and insert **"price grain"**.

42 Page 14, line 18, delete "or" and insert ".".

1 Page 14, delete line 19.

2 Page 14, line 20, delete "issue payment" and insert "**price grain**".

3 Page 14, line 27, delete "issue payment" and insert "**price grain**".

4 Page 14, line 28, delete "issue a temporary suspension of" and insert
 5 **"impose a fine on the licensee of not more than two thousand five**
 6 **hundred dollars (\$2,500) per month until the licensee is in**
 7 **compliance with this section."**

8 Page 14, delete line 29.

9 Page 14, between lines 34 and 35, begin a new paragraph and insert:
 10 "SECTION 5. IC 26-4-1-13, AS AMENDED BY P.L.145-2017,
 11 SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 12 UPON PASSAGE]: Sec. 13. "Grain" means corn for all uses, popcorn,
 13 wheat, oats, rye, soybeans, barley, sorghum, oil seeds, other agricultural
 14 commodities as approved by the agency, and seed (as defined in
 15 ~~IC 26-3-7-2(27))~~. **IC 26-3-7-2(28))**. The term does not include canning
 16 crops for processing or sweet corn.

17 SECTION 6. IC 26-4-1-15.5, AS ADDED BY P.L.145-2017,
 18 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 19 UPON PASSAGE]: Sec. 15.5. "Licensee" has the meaning set forth in
 20 ~~IC 26-3-7-2(23)~~. **IC 26-3-7-2(24)**.

21 SECTION 7. IC 26-4-3-2, AS AMENDED BY P.L.5-2009,
 22 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 23 UPON PASSAGE]: Sec. 2. (a) The corporation's board is created. The
 24 governing powers of the corporation are vested in the board, which is
 25 composed of thirteen (13) members as described in subsections (b) and
 26 (c).

27 (b) The board consists of the following ten (10) voting members:

28 (1) Two (2) members appointed by the largest Indiana
 29 organization representing the interests of grain and feed dealers
 30 in Indiana.

31 (2) Two (2) members appointed by the largest Indiana
 32 organization representing general farm interests in Indiana.

33 (3) One (1) member appointed by the second largest Indiana
 34 organization representing general farm interests in Indiana.

35 (4) One (1) member appointed by the largest Indiana organization
 36 exclusively representing the interests of corn producers.

37 (5) One (1) member appointed by the largest Indiana organization
 38 exclusively representing the interests of soybean producers in
 39 Indiana.

40 (6) Two (2) members appointed by the largest Indiana
 41 organization representing the interests of bankers in Indiana.

42 (7) One (1) member appointed by the largest Indiana organization

- 1 representing the interests of the seed trade in Indiana.
- 2 The members appointed under subdivisions (2) through (5) must be
- 3 producers.
- 4 (c) The board consists of the following three (3) nonvoting
- 5 members:
- 6 (1) The attorney general.
- 7 (2) The treasurer of state.
- 8 (3) The director of the agency, who shall serve as the chairperson.
- 9 (d) The:
- 10 (1) attorney general **may designate a licensed attorney**
- 11 **representative; and**
- 12 (2) treasurer of state may ~~each~~ designate a representative;
- 13 to serve on the board."
- 14 Page 14, line 42, delete "written".
- 15 Page 15, line 1, after "licensee," insert **"while the board is in**
- 16 **executive session and without disclosing the name or any other**
- 17 **identifying information of the licensee,"**.
- 18 Page 15, line 26, after "member" insert **"reasonably"**.
- 19 Page 15, line 28, delete "or if the board".
- 20 Page 15, line 29, delete "member has knowledge about the financial
- 21 status of a licensee,".
- 22 Page 15, line 36, after "8.7." insert **"(a)"**.
- 23 Page 15, between lines 40 and 41, begin a new paragraph and insert:
- 24 **"(b) If a board member is suspected of violating the terms of the**
- 25 **confidentiality agreement, the matter must be referred to the office**
- 26 **of the attorney general for an evaluation and determination."**
- 27 Page 17, line 6, delete "Require an actuarial study" and insert **"May**
- 28 **require a study of fund solvency, practices, and procedures"**.
- 29 Page 17, line 7, delete "However, the corporation must have an
- 30 actuarial".
- 31 Page 17, delete line 8, begin a new line block indented and insert:
- 32 **"(14) Pay legal fees and legal expenses in actions brought**
- 33 **against the corporation or board."**
- 34 Page 17, strike lines 28 through 29.
- 35 Page 17, line 31, delete "(6) an actuarial study of the fund;" and
- 36 insert **"(5) a study of fund solvency, practices, and procedures;"**.
- 37 Page 17, line 32, delete "(7)" and insert **"(6)"**.
- 38 Page 17, line 33, after "procedures;" delete "and".
- 39 Page 17, between lines 33 and 34, begin a new line block indented
- 40 and insert:
- 41 **"(7) professional development and training programs for**
- 42 **agency staff that are closely relevant to the auditing, licensing,**

- 1 **and other regulatory functions of the agency;**
 - 2 **(8) technology software updates and technology support**
 - 3 **services that are closely relevant to the auditing, licensing,**
 - 4 **and other regulatory functions of the agency;**
 - 5 **(9) professional training for board members on the board**
 - 6 **members' duties and responsibilities; and".**
 - 7 Page 17, line 34, delete "(8)" and insert "(10)".
 - 8 Page 17, delete lines 38 through 42.
 - 9 Page 18, delete lines 1 through 10.
 - 10 Renumber all SECTIONS consecutively.
- (Reference is to HB 1483 as printed February 4, 2021.)

and when so amended that said bill do pass .

Committee Vote: Yeas 8, Nays 0.

Senator Leising, Chairperson